

Serial No. **10/066,763**

Docket No. **K-0390**

Amdt. dated August 27, 2007

Reply to Office Action of April 3, 2007

### **REMARKS/ARGUMENTS**

Claims 1, 6, and 25-28 are pending. By this Amendment, independent claim 1 is amended and non-elected claims 7-20 are canceled without prejudice or disclaimer. Non-elected claims 7-20 have been canceled to be pursued in a Continuation/Divisional application. No new matter is added. Support for the claims can be found throughout the specification, including the original claims, and the drawings. Reconsideration in view of the above amendments and following remarks is respectfully requested.

The Office Action rejected claims 1 and 25-28 under 35 U.S.C. §103(a) as being unpatentable over Meyer et al., U.S. Patent No. 7,188,186. We have assumed for the purpose of this Reply that the Examiner also intended to reject dependent claim 6 over Meyer. This rejection is respectfully traversed.

Independent claim 1 recites a method of providing digital contents through a communication network. The method includes storing on a server digital contents each constructed with a plurality of service unit data and a plurality of advertisement contents, and outputting the stored service unit data and the stored advertisement contents alternately through one transmission path via the communication network. In contrast, Meyer teaches embedding executable program code, including advertising content, into pre-prepared digital media files, such as an MP3 audio file, for playback by a digital playback apparatus. Meyer does not disclose or suggest a method of providing digital contents through a communication network. Further,

Meyer does not disclose or suggest storing on a server digital contents each constructed with a plurality of service unit data and a plurality of advertisement contents. Additionally, Meyer does not disclose outputting the stored service unit data and the stored advertisement contents alternately through one transmission path via the communication network. Moreover, Meyer does not disclose or suggest wherein the first step further comprises storing a sequence file indexed to regulate a transmission order for the plurality of service unit data of a selected one of the digital contents, and inter-relating at least one of the advertisement contents to each index of the sequence file to store the inter-related advertisement contents as the advertisement contents of each service unit data of the selected digital content, wherein when a specific index of the sequence file is requested. Additionally, Meyer does not disclose or suggest the method further comprising outputting the inter-related advertisement contents of the specific index, making the service unit data of the specific index stand by for output outputting the service unit data standing by for output, when an acknowledgment by a user for the outputted advertisement contents of the specific index is received, and measuring a popularity of the digital contents by referring to a number of acknowledgments received regarding each of the plurality of advertisement contents that were outputted corresponding to the plurality of service unit data of the digital contents.

Serial No. **10/066,763**

Docket No. **K-0390**

Amdt. dated August 27, 2007

Reply to Office Action of April 3, 2007

Accordingly, the rejection of independent claim 1 over Meyer should be withdrawn. Dependent claims 6 and 25-28 are allowable over Meyer at least for the reasons discussed above with respect to independent claim 1, from which they depend, as well as for their added features.

### **CONCLUSION**

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

Serial No. **10/066,763**

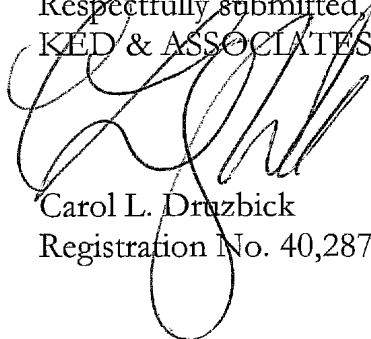
Docket No. **K-0390**

Amtdt. dated August 27, 2007

Reply to Office Action of April 3, 2007

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
KED & ASSOCIATES, LLP

  
Carol L. Druzbeck  
Registration No. 40,287

P.O. Box 221200  
Chantilly, Virginia 20153-1200  
(703) 766-3777 CLD:tlg

**Date: August 27, 2007**

\\Fk4\Documents\2016\2016-239\126117.doc

**Please direct all correspondence to Customer Number 34610**